Mahaveer Vs. State of Rajasthan
D.B. CRI. PAROLE WRIT PETITION NO.1208/2007

DATE OF ORDER :23rd April, 2007.

HON'BLE MR.JUSTICE S. P. PATHAK
HON'BLE MR.JUSTICE D.N. THANVI

Mr. V.R. Metha, Public Prosecutor for State.

The instant petition has been registered on a letter of convict from jail for his release on parole.

The petitioner was convicted and sentenced for life imprisonment with fine in Sessions Cases No.3/2003 under Sec.302 and other allied offences by the Addl. Sessions Judge Bhadra on 27.05.2005. He has undergone sentence including remission only for 4 years, 10 months and 27 days while under the Rajasthan Prisoners (Release on Parole) Rules, 1958, it is required that unless a person has undergone ¼th sentence awarded to him, till then he is not eligible to be granted parole.

Reply to the petition has been filed and the parole has been opposed.

Under the provisions of Rajasthan Prisoners (Release on Parole) Rules, 1958, since the petitioner has not attained the eligibility for consideration of his matter for grant of parole to him, therefore, we find no merit in this petition and the same is hereby rejected. However, the petitioner shall be free to move the concerned authorities for grant of parole as and when he become eligible and the authorities concerned shall thereafter consider his matter expeditiously.

A copy of this order be sent to the convict, who is lodged in Central Jail, Bikaner.

(D.N. THANVI)J. **(SATYA PRAKASH PATHAK)J.**

/jpa